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February 10, 2009

VIA ECF

Hon. William D. Wall
100 Federal Plaza
P O Box 9014
Central Islip, NY 11722-9014

Re: Fairhurst v. County Of Nassau
CV-06-6556 (ERK)(WDW)

Dear Judge Wall:

I am writing to advise the Court that the parties have tentatively agreed to a settlement of this action in the net payable sum of \$10,000. Defense counsel is drafting proposed settlement papers for my review. Following my approval and the signing of these papers by my client the County is requesting 90 days for the processing of their payment.

Accordingly, we jointly request that the Court issue a 90 day order of discontinuance and that defendant's time to respond to the pending motion be suspended, pending my receipt of defendant's payment in the agreed amount, at which point the motion would obviously become a moot matter.

Respectfully yours,

Philip J. Dinhofer

PHILIP J. DINHOFFER

PJD/dd

cc: Lauren Seides Chartan, Esq.